



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

08/579,739

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/579,739	12/28/95	SAKAEGI	35.C11122

005514 LM01/0818
FITZPATRICK, CELLA, HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK NY 10112-3801

EXAMINER	
VU, N	
ART UNIT	PAPER NUMBER
2712	8

DATE MAILED: 08/18/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/579,739

Applicant(s)

SAKAE GI

Examiner

N. Vu

Group Art Unit

2712

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 5/29/98.
- ☒ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-11 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-11 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____.
 - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☒ Notice of References Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

Art Unit: 2712

Response to Amendment

1. The amendments, filed on 5/29/98, have been entered and made of record. Effective immediately, the application is assigned to examiner N. Vu. Please include the new examiner's name in the caption or heading of any communication submitted thereafter. Your cooperation in this matter will assist in the timely processing of the submission and is appreciated by the Office

Claim Objections

2. Claims 1-2, 6 and 11 are objected to because of the following informalities:

Claim 1: line 19, change "the power supply" to --the power source--.

Claim 2: line 5, delete "communication request".

Claim 6: line 3, change "the signal level" to --the logic level--; lines 3-4, change "a power source" to --the power source--.

Claim 11: line 3, change "the signal level" to --the level--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. Claims 3, 5 and 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Art Unit: 2712

In claim 3, line 2, phrase “a line for the power supply are separately provided” is introduced. In claim 1, “a signal line connected to a personal computer” is mentioned. It appears that these two are actually the same element. If that is true, it should not be referred to differently within the same claim. Please ensure that phraseology used to refer to elements is consistent. Correction is required.

Claim 5 recites the limitation "the judgment" in line 6. There is no antecedent basis for this limitation in the claim.

Claim 8, phrase “a logic level of the data line” is introduced. In claim 7, “a level of a data line” is mentioned. It appears that these two are actually the same element. If that is true, it should not be referred to differently within the same claims. Please ensure that phraseology used to refer to elements is consistent.

Claim Rejections - 35 USC § 102

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Hicks (US #5,594,672).

As to claims 1-2, Hicks discloses a system that includes a power saving feature. As seen in figure 1, the system includes a peripheral apparatus (power saver 17), a predetermined circuit

Art Unit: 2712

(printer 2), and a personal computer (1). As can be seen in figure 1 and described in the corresponding parts of the specification, the power saver detects the voltage level of a signal line (13) connected to the computer (13). Based on this determination, power is supplied to the printer (2) via power cord (3). Hicks further teaches discriminating means (microprocessor 39/49) for discriminating whether or not a communication request of a predetermined procedure has been received from the personal computer (1) after the electric power of the power source was supplied to the printer (2) by said power saver (17) (col. 1, line 60 to col. 2 line 27; col. 3 line 38 to col. 5 line 65); and control means (39/49) for continuing the supply of the electric power from the power saver (17) once said discriminating means discriminates a presence of the communication request (col. 1 lines 60+, and in col. 4 lines 35+.)

Regarding claim 3, Hicks shows in figure 1, the power supply cord (3) and the data signal line (13) are separate.

Claim Rejections - 35 USC § 103

6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hicks (US #5,594,672).

As to claim 6, Hicks shows that the peripheral apparatus has its own power cord (4). Official Notice is taken that the personal computer has its own power source which could be either a power cord or a battery. It would have been obvious to have the power source from the

Art Unit: 2712

computer power the detecting means of the peripheral device so that the peripheral device need not be tethered to a wall outlet.

7. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hicks (US #5,594,672) in view of Parulski et al (US #5,475,441).

As to claims 4-5, Hicks specifically shows in figure 1 that the peripheral apparatus can be a printer (2). As discussed in col. 1 lines 25+ and col. 5 line 1+, peripheral devices other than printers can also be used with computers. Throughout the specification, Hicks uses the generic term "peripheral device" implying that any known type of peripheral device could be used with the power-saving system, not only a printer.

Parulski discloses that it is known in the art to also use a camera as a peripheral device to a personal computer (col. 1, lines 10+.) This allows a user to download images to the computer from the camera which allows greater processing capabilities as well as the opportunity to store a large number of images (col. 5 line 21 to col. 7 line 20.) Since Hicks specifically discloses that computers may be used with different types of peripheral devices, and Parulski discloses that it is advantageous to use cameras along with computers, it would have been obvious to one of ordinary skill in the art to use a camera as the peripheral device in the power saving system disclosed by Hicks.

8. Claims 7-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hicks (US #5,594,672) in view of Aoki (US #5,438,359).

Art Unit: 2712

As to claim 7, it is considered essentially similar to the combination of claims 1 and 4 which were discussed above. See the above description of how Hicks applies to the limitations. Likewise, Hicks further teaches that the supply of electric power to peripheral device (2) is stopped in the case that the predetermined command is not discriminated by said discriminating means (col. 1, lines 60+).

Similar to Parulski discussed above, Aoki discloses that a camera may be used as a peripheral device which may be connected to a computer (col. 1 line 8 to col. 2 line 30.) For the same reasons discussed above, it would have been obvious to use a camera as the peripheral device in the power-saving system disclosed by Hicks. Aoki is used instead of Parulski in these claims because Aoki specifically states that the camera may be used as a stand-alone device while not connected to the computer (col. 1 line 45+.) As shown in figure 3, Aoki show a camera including a recording means (3) and a buffer (115).

Regarding claims 8-9, they are considered substantively equivalent to claims 2-3 which were discussed above.

Regarding claim 10, Hicks, as modified by Aoki, discloses that the recording means has a buffer (32) for storing the photographed image information (Aoki, Figs. 3-5).

Regarding claim 11, it is considered substantively equivalent to claims 6 which was discussed above.

Art Unit: 2712

Response to Arguments

9. Applicant's arguments filed 5/29/98 have been fully considered but they are not persuasive.

Regarding Applicant's arguments in that nothing is found in Hicks to teach or suggest a peripheral device with an inactive power supply controlling the activity of its own power supply, and the duration of the supplied power, the examiner notes that since the limitation that the peripheral device with an inactive power supply is not claimed, it is irrelevant whether Hicks neither teaches nor suggests the above noted limitation. It is noted that, contrary to the Applicant's arguments that Hicks does not teach the duration of the supplied power, such a feature is clearly taught in Hicks as shown in column 1 lines 60+, and in column 4 lines 35+.

Regarding Applicant's arguments in that neither Parulski nor Aoki, either taken separately or in combination with Hicks, teaches or suggests the implementation of power saving in a camera as recited in Applicant's invention, the examiner disagrees. Both Parulski and Aoki teaches a camera may be used as a peripheral device which may be connected to a computer (see figures 2A, 2B, 6 & 7 in Parulski, and figures 1 & 3 in Aoki.) Additionally, Aoki suggests desires to conserve the camera's power by switching to the computer's power (Aoki, col. 2 lines 10+, col. 4 lines 3+). Since Hicks specifically discloses that computers may be used with different types of peripheral devices, and Parulski and Aoki disclose that it is advantageous to use cameras along with computers, it would have been obvious to one of ordinary skill in the art to use a camera as the peripheral device in the power saving system disclosed by Hicks.

Art Unit: 2712

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

11. **Any response to this final action should be mailed to:**

Box AF

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications; please mark "EXPEDITED
PROCEDURE")

Or:

Serial Number: 08/579,739

Page 9

Art Unit: 2712

(703) 308-5399 (for informal or draft communications, please label


"PROPOSED" or "DRAFT")


Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington. VA., Sixth Floor (Receptionist).

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **N. Vu** whose telephone number is (703) 305-4946. The examiner can normally be reached on Mon - Fri from 8 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wendy Garber**, can be reached on (703) 305-4929.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


NYV
8/16/98


WENDY GARBER
PRIMARY EXAMINER
